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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,483	06/19/2003	Marc Benkert	60655.1100	6330

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EXAMINER
GOTTSCHALK, MARTIN A

ART UNIT	PAPER NUMBER
3693	

NOTIFICATION DATE	DELIVERY MODE
05/13/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/600,483	BENKERT ET AL.
	Examiner	Art Unit	
	MARTIN A. GOTTSCHALK	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 December 2009*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,9-17, 19-23, and 41-61* is/are pending in the application.
    4a) Of the above claim(s) *41-61* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-4, 9-17, and 19-23* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some *   c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   Claims 1-4, 9-17, and 19-23 have been examined. Claims 41-61 are withdrawn.

Claims 5-8, 18, and 24-40 are cancelled.

Response to Arguments

2.   Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
        obviousness or nonobviousness.

5.   Claims 1-4, 9-17, and 19-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Solokl et al (US Pat# 6,173,269, hereinafter Solokl), in view of

Komen et al (US Pat# 6,892,184, hereinafter Komen), and further in view of Blonder et

al (US Pat# 5,708,422, hereinafter Blonder).

As per claim 1, Solokl teaches **a** method for administering a subsidiary account, <u>the</u>

<u>method being performed by a computer</u> and comprising the steps of:

receiving, <u>from a parent system,</u> a request to establish a subsidiary account

associated with <u>a</u> parent account defining a subsidiary account spending

capacity based on a currency of a first country (Solokl: col 4, lns 12-21; lns 35-

41; col 8, lns 55-65);

<u>determining an exchange rate corresponding to the currency of the first country</u>

<u>and a currency of a second country distinct from the first country</u> (Solokl: col 9,

lns 54-56. See below, next reference for the feature of "determining an effective

time period associated with the exchange rate");

and

<u>storing, in a database,</u>

a subsidiary account identifier (Solokl: col 6, lns 16-50),

and

the exchange rate (Solokl: col 9, lns 54-56. See below, next reference for the "time period" for the exchange rate feature),

wherein purchases made using the subsidiary account are limited by the subsidiary account spending capacity (Solokl: col 9, lns 19-24, i.e. "daily/weekly spending limits"),

and

wherein, during the effective time period, purchases made using the subsidiary account in the currency of the second country are converted into the currency of the first country according to the exchange rate (Solokl: col 9, lns 54-56. See below, next reference for the "during the effective time period" feature).

Solokl teaches the use of an exchange rate (see above) but does not teach providing a time period in which the exchange rate remains effective. However, this feature is taught by Komen. Komen teaches a system for use in international e-commerce transactions to hedge, or lock-in a price in a buyer's local currency and to

guarantee the final price to the seller, thus effectively eliminating currency exchange risk

(Komen: col 2, lns 22-53). The disclosure includes the ability to guarantee a particular

exchange rate for a limited period of time (Komen: col 10, lns 38-47), and that the length

of the guarantee period may be set by a user (Komen: col 12, lns 43-50). Thus the

previously cited teachings of Solokl could be combined with the teachings of Komen

concerning hedging exchange rates for a specified period of time to teach

>   a method for administering a subsidiary account, the method being performed by
>
>   a computer and comprising the steps of:

>   determining, by the parent system, an effective time period associated
>
>   with the exchange rate (Komen: col 2, lns 22-53; col 10, lns 38-47, and col
>
>   12, lns 43-50)

>   and

>   storing, in a database, the effective time period (Komen: col 10, lns 65-
>
>   67);

>   and

wherein, during the effective time period, purchases made using the

subsidiary account in the currency of the second country are converted

into the currency of the first country according to the exchange rate

(Komen: col 3, lns 10-30).

It would have been obvious to one of ordinary skill in the art at the time of

Applicant's invention to modify the system of Solokl with the cited teachings of Komen in

order to hedge the foreign exchange risk of an e-commerce purchase (Komen: col 2, lns

22-53).

Solokl and Komen fail to teach the following features of the claim:

accommodating an emergency transaction in accordance with predefined criteria

by allowing the subsidiary account to exceed the subsidiary account's defined

spending capacity.

However, these features are well known as taught by Blonder. Blonder

anticipates a situation where for example, a child or employee is allowed use of a credit

card with restrictions. Under some circumstances however, emergencies may arise

requiring a transaction that exceeds the predefined spending capacity (Blonder: col 2,

lns 12-40). Blonder teaches accommodating such emergency transactions by providing

an emergency contact provision that is triggered by predefined criteria referred to as

"exception conditions" stored in the customer's profile. Upon receiving an emergency

notification, the customer may approve or deny the pending emergency transaction

(Blonder: col 2, ln 43 to col 3, ln 32).

It would have been obvious to one of ordinary skill in the art to modify the

parent/child credit card system taught by Solokl with the emergency notification

provisions taught by Blonder in order to allow a parent to authorized a credit card

transaction for a child that would normally exceed predefined spending limits for the

child's use of the card (Blonder: col 2, lns 12-40).

As per claim 2, Solokl teaches a method according to claim 1, wherein the parent

account is established by a first institution and the subsidiary account is at least partially

maintained by said second institution (Solokl: col 5, lns 33-46; col 10, lns 3-6).

As per claim 3, Solokl teaches the method of claim 2, wherein the second institution is

situated in a location remote from the first institution (Solokl: col 5, lns 33-46; col 10, lns

3-6).

As per claim 4, Solokl teaches the method of claim 2, wherein the second institution is

situated in a country that is different from the country of the first institution (Solokl: col 9,

lns 54-56).

As per claim 9, Solokl teaches the method of claim 1 further comprising the step of

modifying the subsidiary account spending capacity in response to a request from the

parent system . (Solokl: col 9, lns 17-25).

As per claim 10, Solokl teaches the method of claim 9, further comprising the step of

modifying the parent spending power based on a modification of the subsidiary account

spending capacity (Solokl: col 9, lns 16-24).

As per claim 11, Solokl teaches the method of claim 1, further comprising the step of

determining a parent account spending power for the parent account and the subsidiary

account spending capacity for the subsidiary account in accordance with a

predetermined set of rules (Solokl: col 6, lns 63-66; col 9, lns 16-24).

As per claim 12, Solokl teaches the method of claim 1, further comprising the step of

tracking spending incurred using the subsidiary account (Solokl: col 6, lns 35-49).

As per claim 13, Solokl teaches the method of claim 1, further comprising the step of

limiting total spending incurred using the subsidiary account (Solokl: col 9, lns 16-24).

As per claim 14, Solokl teaches the method of claim 1, further comprising the step of

limiting spending incurred using the subsidiary account for a specific class of goods or

services (Solokl: col 6, lns 6-8).

As per claim 15, Solokl teaches the method of claim 1, further comprising the step of

limiting spending incurred using the subsidiary account at a specific class of merchants

(Solokl: col 6, lns 1-3).

As per claim 16, Solokl teaches the method of claim 1, further comprising the step of

limiting spending incurred using the subsidiary account at a specific merchant (Solokl:

col 6, lns 1-3).

As per claim 17, Solokl teaches the method of claim 1, further comprising the step of

enforcing specific restrictions against the subsidiary account, wherein the specific

restrictions exist to condition the use of the parent account (Solokl: col 8, lns 13-15).

As per claim 19, Solokl teaches the method of claim 1, further comprising the step of

generating a statement for the subsidiary account (Solokl: col 6, lns 35-39).

As per claim 20, Solokl teaches the method of claim 1, further comprising the step of

generating a statement for the parent account (Solokl: col 6, lns 1-3).

As per claim 21, Solokl teaches the method of claim 1, further comprising the step of

terminating the subsidiary account in response to a request from the parent system

(Solokl: col 9, lns 19-24).

As per claim 22, Solokl teaches the method of claim 1, wherein the subsidiary account

is configured to carry-over spending capacity from one cycle to the next (Solokl: col 8,

lns 55-65).

As per claim 23, Solokl teaches the method of claim 1, wherein the subsidiary account

is configured to prevent carry-over of spending capacity from one cycle to the next

(Solokl: col 8, lns 55-65).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The cited but not applied prior art teach methods of allowing

emergency credit card transactions.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MARTIN A. GOTTSCHALK whose telephone number is

(571)272-7030. The examiner can normally be reached on Mon - Fri 10:00 - 6:30.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James A. Kramer can be reached on (571) 272-6783. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. A. G./
Examiner, Art Unit 3693

/James A. Kramer/
Supervisory Patent Examiner, Art Unit 3693